



United States Department of Agriculture

## **USDA Forest Service, State & Private Forestry, Urban & Community Forestry Program, Federal Advisory Committee**

### **National Urban & Community Forestry Advisory Council**

#### **CHARTER**

1. Committee's Official Designation

National Urban and Community Forestry Advisory Council (the Council)

2. Authority

The Charter for the National Urban and Community Forestry Advisory Council is hereby reestablished pursuant to Section 9 of the Cooperative Forestry Assistance Act, as amended by Title XII, Section 1219 of Public Law No. 101-624 (Act) (16 U.S.C. 2105g), and the Federal Advisory Committee Act (5 U.S.C. App. 2) (FACA).

3. Objectives and Scope of Activities

Develop a national urban and community forestry ten year action plan in accordance with Section 9(g)(3)(A-F) of the Act.

Evaluate the implementation of that plan annually.

Develop criteria for, and submit recommendations with respect to the forestry challenge cost-share grant program as required by Section 9(f)(1-2) of the Act.

4. Description of Duties

The Council shall prepare and submit a Ten Year National Urban and Community Forestry Action Plan every 10 years as described in Section 9 of the Cooperative Forestry Assistance Act, as amended by Section 1219 of Public Law No. 101-624. The plan may be amended by a majority of the Council members.

Beginning no later than one year after the plan is submitted, and annually thereafter, the Council shall submit to the Secretary a review of the plan and any amendments to the plan shall be incorporated into this review.

The Council shall annually develop the topic categories and recommendations for grant awards for the National Urban and Community Forestry Challenge Cost Share Grant Program.

5. Agency or Official to Whom the Committee Reports

The Council reports to the Secretary of Agriculture through the Under Secretary for Natural Resources and Environment; the Chief of the Forest Service; and the Deputy Chief for State and Private Forestry. The Secretary of Agriculture retains the authority to appoint Council members.

6. Support

Financial and technical support for the Council will be provided by the Forest Service, State & Private Forestry, Cooperative Forestry, Urban and Community Forestry Program unit.

7. Estimated Annual Operating Costs and Staff Years

Annual operating costs of the Council are estimated at \$180,000. This includes direct costs, as well as 0.85 FTE of administrative support.

8. Designated Federal Officer

A permanent Federal employee will be appointed in accordance with agency procedures, will serve as the DFO. The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

The Council shall meet on a periodic and regular basis, at least bi-annually.

Most meetings will be open to the public. Members of the public wishing to speak at Council meetings must make arrangements with the Council staff at least 24 hours in advance of the meeting. The name and telephone number of the staff contact will be announced in the Federal Register notice of the meeting (see clause 9.a above). The Council holds an annual closed conference call to discuss grant information when preparing their recommendation for grant awards to the Forest Service. The public is notified of the closed meeting through the Federal Register Notice.

10. Duration

Continuing.

11. Termination

The Charter will terminate two years after the date of filing, unless it is renewed by the Secretary.

## 12. Membership and Designation

12a. This Council will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

12b. The Council shall be composed of fifteen members appointed by the Secretary, as follows:

- (1) Two members representing national nonprofit forestry and conservation citizen organizations;
- (2) Three members, one each representing State, county, and city and town governments;
- (3) One member representing the forest products, nursery, or related industries;
- (4) One member representing urban forestry, landscape, or design consultants;
- (5) Two members representing academic institutions with an expertise in urban and community forestry activities;
- (6) One member representing state forestry agencies or equivalent state agencies;
- (7) One member representing a professional renewable natural resource or arboricultural society;
- (8) One member from Extension Service (National Institute of Food & Agriculture);
- (9) One member from the Forest Service; and
- (10) Two members who are not officers or employees of any governmental body, one of whom is a resident of a community with a population of less than 50,000 as of the most recent census and both of whom have expertise and have been active in urban and community forestry.

Eight members of the Council shall constitute a quorum. Only appointed members may serve on the Council. If a member is unable to attend a meeting, the member may not send a representative to act in their slot. Members of the Council shall be appointed for 3 year terms, and no member may serve for more than 2 consecutive terms.

Vacancies in the Council shall be filled in the manner in which the original appointments were made. Any member appointed to fill a vacancy occurring before the expiration of the term of the member's predecessor shall be appointed only for the remainder of such term. Appointments to vacant or expiring positions will be made annually.

12c. Of these members, one will be appointed as chairperson who is recognized for their ability to lead a group in a fair and focused manner and who has been briefed on the mission of this Council. The Chair may not be an employee of the United States, any State, county, city, or town government. A co-chairperson may be appointed, especially to facilitate their transition to become the chairperson in the future. Both the Chair and co-chair may be appointed by the Secretary.

Members of the Council shall serve without compensation, but may be reimbursed for travel and per diem expenses incurred in carrying out their duties and responsibilities, in



accordance with USDA travel regulations. All expenses will be subject to the approval of the Designated Federal Officer (DFO).

#### 12d. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or Subcommittee member shall participate in any "specific party matters" (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA's Office of Ethics) any specific party matter in which the member's immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee's recommendations.

As provided in 43 CFR 1784.2-2, members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the Forest Service, or in any litigation related thereto.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "Representatives" are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as "Special Government Employees" (SGEs) are considered to be intermittent Federal employees and are thus subject to Federal ethics laws. SGE's are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively coverall Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

#### 12e. Equal Opportunity Statement

Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership will include to the extent possible, individuals with demonstrated ability to represent minorities, women and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

14. Subcommittees

The Forest Service has the authority to create subcommittees or workgroups. Subcommittees and workgroups must report back to the parent committee, and must not provide advice or work products directly to the Agency.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or subgroups of the committee, shall be handled in accordance with General Records Schedule (GRS) 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this NUCFAC Council is available online at: <http://www.fs.fed.us/ucf/nucfac.shtml>

15. Filing Date

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